

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CRIMINAL NO.

04-10246-PBS

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

2004 SEP 10 P 3:52

UNITED STATES OF AMERICA,

U.S. DISTRICT COURT  
DISTRICT OF MASS.

v.

BRIAN Todd

**WAIVER OF RIGHT TO SEPARATE COUNSEL**

I, BRIAN TODD, have been advised by United

States Magistrate Judge Judith Gail Dein of some of the risks confronted where defendants in the same trial are represented by the same counsel. I have discussed these risks with my counsel and understand the nature of those risks. I have been further advised by United States Magistrate Judge Judith Gail Dein that I have an absolute right to retain separate counsel or, if financially qualified, to have separate counsel appointed by the court and paid for by the government.

Being fully aware of the possible risks where defendants are jointly represented and of my right to separate counsel, I nevertheless choose to proceed being represented by SCOTT F. GLEASON, Esq. who also represents other defendant(s) in this case.

[Signature]  
Defendant

[Signature]  
Witness

Dated: 9-8-04